

REMARKS

Claims 1-26 are pending in this application. By this Amendment, the specification and claims 1, 3, 4, 14 and 16-18 are amended and new claims 24-26 are added. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

Applicant gratefully acknowledges the Office Action's indication that claims 5-15, 17, 18 and 20-23 contain allowable subject matter.

The Office Action rejects claims 1-4, 16 and 19 under 35 U.S.C. §102(b) over U.S. Patent 5,319,707 to Wasilewski et al. (hereafter Wasilewski). The rejection is respectfully traversed.

Independent claim 1 recites a header subframe containing frame mapping information of data to be transmitted to a plurality of terminals and data subframes containing data multiplexed therein, and to be transmitted to the plurality of terminals at the present time in correspondence to frame mapping information transmitted in advance, wherein the frame mapping information transmitted in advance includes subframe numbers.

Wasilewski does not teach or suggest all the features of independent claim 1. In particular, the Office Action asserts that Wasilewski discloses data subframes containing data multiplexed therein and to be transmitted to a plurality of terminals at the present time in correspondence to frame mapping information transmitted in advance. In particular, the Office Action cites Wasilewski's Fig. 19a, col. 29, lines 30-47, and col. 7, lines 44-67. More specifically, the Office Action asserts that Fig. 19a depicts that the differing data to be transmitted (i.e., seeds) where each packet info 364 identifies the number of seeds to follow within a specific subframe for a given service type. However, applicant respectfully submits that Wasilewski's

seeds relate to encryption services that are provided in service seed packets (SSPs). See, in particular, col. 7, lines 44-67 referenced in the Office Action. Wasilewski's service seeds do not correspond to subframe numbers. Rather, the service seeds merely relate to encryption services. The Office Action also references packet info 364. However, as described in col. 29, lines 31-54, the packet info 364 merely includes information concerning the seeds, such as a number of a particular service that are carried in a data stream. This "particular count" does not correspond to a subframe number. Accordingly, Wasilewski does not teach or suggest all the features of independent claim 1.

Independent claim 16 also defines patentable subject matter. That is, independent claim 16 recites processing data to be transmitted at the present time to form subframes, multiplexing the formed subframes according to subframe mapping information transmitted in advance; and transmitting the multiplexed subframes, together with subframe mapping information of the subframes to be transmitted thereafter.

Wasilewski does not teach or suggest all the features of independent claim 16. That is, the Office Action asserts that Wasilewski discloses multiplexing the formed subframes according to subframe mapping information transmitted in advance. The Office Action cites Wasilewski's col. 3, lines 14-17 and col. 7, lines 60-67. The Office Action asserts that Wasilewski discloses that each subframe data is mapped which is transmitted in advance to the receiver so that it may be ready for decoding prior to actual data arriving. However, this does not relate to multiplexing subframes based on subframe mapping information transmitted in advance. Accordingly, independent claim 16 defines patentable subject matter.

Furthermore, independent claim 24 recites a header subframe containing a plurality of subframe numbers relating to data for a plurality of terminals and a plurality of data subframes each containing data to be transmitted to the plurality of terminals. Independent claim 24 also recites that the plurality of data subframes correspond to subframe numbers transmitted in a previous frame. For at least the reasons set forth above, Wasilewski does not teach or suggest these features. Accordingly, independent claim 24 defines patentable subject matter at least for this reason.

Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, dependent claim 25 recites that the subframe numbers contain information related to positions of the data subframes within a current frame. Furthermore, dependent claim 26 recites that the header subframe contains data subframe numbers, frame quality indicator, and reserved/encoder tail information. Wasilewski does not teach or suggest these features. Thus, dependent claims 25-26 define patentable subject matter at least for this additional reason.

CONCLUSION

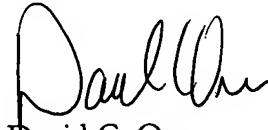
In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-26 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

Serial No. 10/029,252
Reply to Office Action of August 4, 2005

Docket No. K-0370

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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